

JFW

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

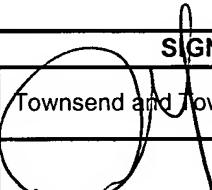
Total Number of Pages in This Submission

|  |                  |
|--|------------------|
| Application Number                       | 10/603,126       |
| Filing Date                              | June 23, 2003    |
| First Named Inventor                     | Seamans, Scott   |
| Art Unit                                 | 3728             |
| Examiner Name                            | Jila M. Mohandes |
| Total Number of Pages in This Submission | 040130-050100US  |

### ENCLOSURES (Check all that apply)

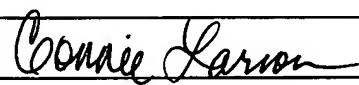
|  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form  | <input checked="" type="checkbox"/> Drawings -<br>Annotated: Fig. 1, Fig. 3, Fig. 5<br>Replacement: Fig. 1, Fig. 3, Fig. 5 | <input type="checkbox"/> After Allowance Communication to TC                                       |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                |
| <input checked="" type="checkbox"/> Amendment/Reply  | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)            |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation   | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request   | <input type="checkbox"/> Change of Correspondence Address  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Terminal Disclaimer   |  |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> Request for Refund  |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                                    | <input type="checkbox"/> CD, Number of CD(s) _____   |  |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application                            | <input type="checkbox"/> Landscape Table on CD   |  |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.                    |  |

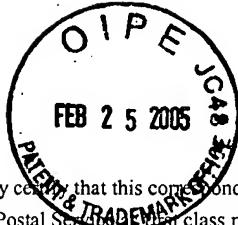
### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Townsend and Townsend and Crew LLP  |          |        |
| Signature    |  |          |        |
| Printed name | Darin J. Gibby  |          |        |
| Date         | February 22, 2005   | Reg. No. | 38,464 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |   |      |                   |
|-----------------------|---|------|-------------------|
| Signature             |  |      |                   |
| Typed or printed name | Connie Larson   | Date | February 22, 2005 |



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PATENT  
Attorney Docket No.: 040130-050100US

Commissioner for Patents  
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On Feb 22, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Connie Larson

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Scott Seamans

Application No.: 10/603,126

Filed: June 23, 2003

For: BREATHABLE WORKSHOES  
AND METHODS FOR  
MANUFACTURING SUCH

Customer No.: 20350

Confirmation No. 9833

Examiner: Jila M. Mohandes

Technology Center/Art Unit: 3728

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 17, 2004, please enter the following amendments and remarks:

**Amendments to the Specification** begin on page 2 of this paper

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Amendments to the Drawings** are included in the replacement sheets attached following page 8 of this paper.

**Remarks** begin on page 9 of this paper.